

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

No claims are being amended. Claims 1-17 remain pending in this application.

Allowable subject matter

Applicant appreciates the indication that claim 4 is allowed, and that claims 5, 11, 13, 15 and 17 contain allowable subject matter.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-3, 6-7, 10, 12, 14 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,874,902 to Yamashita et al. (Yamashita). Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamashita in view of U.S. Patent No. 6,628,460 to Ookawa et al. (Ookawa). Applicant respectfully traverses these rejections for at least the following reasons.

Claim 1 recites “at least one prism structure, each of the at least one prism structures having a first surface characterized by a first surface structure function modulated by a second surface structure function, the first surface structure function having characteristics to provide that each of the at least one prism structures has a cross section with at least one curved side to provide defocusing diffusion to light incident on the substrate, the second surface structure function having characteristics to provide additional diffusion to the light incident on the substrate.” Yamashita fails to disclose at least a surface characterized by a first surface structure function modulated by a second surface structure function as those first and second surface structure functions are specifically recited in claim 1.

The Office Action on page 2 states:

Yamashita discloses a prism structure having two curved surface structures (See 41 in Fig. 2), and Yamashita also teaches that these two curved surface structures provide diffusion to light incident on the substrate (Col. 6, lines 18+).

In contrast to the prism structures as recited in claim 1, however, the prism structures of the surface 41 of the light deflecting device 4 of Yamashita are not “characterized by a first surface structure function modulated by a second surface structure function, the first surface structure function having characteristics to provide that each of the at least one prism structures has a cross section with at least one curved side to provide defocusing diffusion to light incident on the substrate, the second surface structure function having characteristics to provide additional diffusion to the light incident on the substrate.” While Yamashita does disclose that the surface 41 has prism surfaces where a prism face may have a convex-shaped curved surface (see col. 11, lines 45-48), Yamashita does not disclose that any of the convex-shaped surfaces are modulated by a second surface structure function having characteristics to provide additional diffusion to the light incident on the substrate. Even if Yamashita discloses a prism structure having two curved surface structures as stated in the Office Action, Yamashita does not disclose that either of these two curved surface structures are modulated by a second surface structure function having characteristics to provide additional diffusion to the light incident on the substrate. Yamashita fails to anticipate claim 1 for at least this reason.

Moreover, Yamashita teaches away from providing additional diffusion to light incident on the surface 41 by a second surface function modulating its convex-shaped prism surfaces. Yamashita discloses that light diffusion is achieved with its light deflecting device 4 by forming a light diffusion layer at the light emission surface 42 (opposite to the surface 41) or by incorporating a light diffusing agent, such as transparent fine particles, in its prisms (col. 14, lines 36-57). Nowhere does Yamashita suggest that any additional light diffusion is achieved for its light deflecting device 4 by a second surface function modulating its convex-shaped prism surfaces.

Ookawa was cited for allegedly disclosing other features of the claims, but fails to cure the deficiencies of Yamashita.

Independent claim 14 recites “at least one prism structure, each of the at least one prism structures having a first surface characterized by a first surface structure function modulated by a second surface structure function, the first surface function having

characteristics to provide that each of the at least one prism structure has a cross section with at least one curved side to provide defocusing diffusion to light incident on the substrate, the second surface structure function having characteristics to provide additional diffusion to the light incident on the substrate” and thus is patentable over Yamashita for reasons analogous to claim 1.

The dependent claims are patentable for at least the same reasons as their respective independent claims as well as for further patentable features recited therein. For example, claim 2 recites “wherein the second surface structure function is random or pseudo random.” Yamashita does not disclose any second surface structure function which is random or pseudo random.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5490

Facsimile: (202) 672-5399

By Thomas G. Bilodeau

Michael D. Kaminski

Attorney for Applicant

Registration No. 32,904

Thomas G. Bilodeau

Attorney for Applicant

Registration No. 43,438